

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

VANTREASE FRAZIER

PLAINTIFF

VS.

CIVIL ACTION NO. 5:21-cv-7-DCB-FKB

VICTORIA CARTER, Detective

DEFENDANT

Order

This matter is before the Court on Plaintiff Vantrease Frazier ("Plaintiff")'s Motion for a Franks Hearing, Motion to Suppress Evidence, and Motion to Dismiss [ECF No. 38] and on Plaintiff's letter dated June 21, 2023 [ECF No. 42], which is docketed as a Motion to Amend/Correct the Complaint.

Plaintiff filed his motions after this Court had entered an order staying this case because of Plaintiff's ongoing state court criminal proceedings. [ECF No. 37]. The Court's Order Staying Case states:

IT IS ORDERED that this action is **STAYED** pending the termination of the state court criminal proceedings against Plaintiff.

IT IS FURTHER ORDERED that Plaintiff is required to file with the Clerk of this Court a motion to lift the

stay of this civil action within 30 days of the termination of the state court criminal proceedings against him.

To the Court's knowledge, based on Plaintiff's filings and Defendant's responses in opposition to the pending motions, Plaintiff's criminal case still is ongoing. The Court reminds Plaintiff that while this case remains stayed, he should file no new motions with this Court. As explained in the Court's prior order, once the state court criminal proceedings against Plaintiff are concluded, Plaintiff can lift the stay of this civil action by filing a motion to lift stay with the Clerk of Court within 30 days of the termination of the state court criminal proceedings.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for a Franks Hearing, Motion to Suppress Evidence, and Motion to Dismiss [ECF No. 38] and Plaintiff's Motion to Amend/Correct the Complaint [ECF No. 42] are **DENIED** without prejudice.

SO ORDERED AND ADJUDGED this the 22nd day of September 2023.

/s/ David Bramlette
UNITED STATES DISTRICT COURT